IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

Bail Appl..No. 1151 of 2007()

CRIME NO. 270/06 OF CHELAKKARA POLICE STATION

PETITIONERS/ACCUSED NOS.1,2, & 3

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1. V.P.JOICY, W/O. JOSE,
KUNDUKULANGARA HOUSE, P.O.KILLIMANGALAM,
CHELAKKARA, TRICHUR DIST.

2. K.J.SAKITHA, D/O. JOSE,
KUNDUKULANGARA HOUSE, P.O.KILLIMANGALAM,
CHELAKKARA, TRICHUR DIST.

3. SANTHOSH,
VAZHAPPILLY HOUSE, P.O.KILLIMANGALAM,
CHELAKKARA, TRICHUR DIST.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: STATE

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1. THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
CHELAKKARA POLICE STATION.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1151 of 2007

DATED: 1st March , 2007

O R D E R

Petitioners who are accused Nos. 1 to 3 in Crime No. Chelakkara Police Station for offences punishable under Sections 406 and 420 read with Sec. 34 I.P.C., seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that during the period between 1-2-2006 and 28-11-2006, the petitioners have pledged imitation gold ornaments with the Chelakkara Branch of the South Indian Bank, dishonestly representing the same to be genuine gold ornaments and altogether availed an amount of Rs. 2, 49,000/-.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer and then have their application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioners shall surrender before the Investigating Officer on any day between 7-3-2007 and 9-3-2007 for the purpose of custodial interrogation.

Thereafter the petitioners shall be produced before the Magistrate having jurisdiction, on the same day. The Magistrate shall consider and dispose of their applications, if any, filed by the petitioners for regular bail preferably on the same day on which it is filed bearing in mind the fact that accused Nos. 1 and 2 are ladies.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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